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BORDEN LADNER GERVAIS LLP		
Anne Kinsman		
WORLD EXCHANGE PLAZA		
100 QUEEN STREET SUITE 1100		
OTTAWA, ON K1P 1J9		
CANADA		

  

EXAMINER	
CURS, NATHAN M	

  

ART UNIT	PAPER NUMBER
2613	

  

NOTIFICATION DATE	DELIVERY MODE
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**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

Notice of the Office communication was sent electronically on above-indicated "Notification Date" to the following e-mail address(es):

ipinfo@blgcanada.com  
aarmstrongbaker@blgcanada.com  
akinsman@blgcanada.com

## Office Action Summary

Application No.

10/822,077

Applicant(s)

THOMSON ET AL.

Examiner

Nathan Curs

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☒ Responsive to communication(s) filed on 27 August 2007.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☒ Claim(s) 1-5 and 7-20 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-5, 7, 8 and 10-20 is/are rejected.
- 7) ☒ Claim(s) 9 is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 09 April 2004 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

### Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
  - ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

### Attachment(s)

- ☐ Notice of References Cited (PTO-892)
- ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- ☐ Information Disclosure Statement(s) (PTO/SB/08)  
Paper No(s)/Mail Date \_\_\_\_\_
- ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date. \_\_\_\_\_
- ☐ Notice of Informal Patent Application
- ☐ Other: \_\_\_\_\_

## DETAILED ACTION

### *Claim Rejections - 35 USC § 112*

1. The following is a quotation of the first paragraph of 35 U.S.C. 112:

The specification shall contain a written description of the invention, and of the manner and process of making and using it, in such full, clear, concise, and exact terms as to enable any person skilled in the art to which it pertains, or with which it is most nearly connected, to make and use the same and shall set forth the best mode contemplated by the inventor of carrying out his invention.

2. Claims 1, 2 and 19 are rejected under 35 U.S.C. 112, first paragraph, as failing to comply with the written description requirement. The claim(s) contains subject matter which was not described in the specification in such a way as to reasonably convey to one skilled in the relevant art that the inventor(s), at the time the application was filed, had possession of the claimed invention.

Amended claim 1 in line 3 recites that the multi-bit read port has "a multi-bit interface". This is new matter. The originally filed specification does not mention a port as having a multi-bit interface.

Amended claim 2 in line 2 recites that the read ports are "twelve-bit". The originally filed specification may support the multi-port memory itself being twelve-bit by way of the memory addressing, but claiming each port *within* the multi-memory as twelve-bit is new matter. With respect to bits of the read ports, the originally filed specification only mentions the read port including a filter coefficient value, and that the filter coefficient value is 8-bits.

Amended claim 19 in line 2 recites that the read ports are "twelve-bit". This is new matter for same reasons described above for claim 2.

3. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

4. Claim 16 is rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

Amended claim 16 recites "wherein a multi-port memory... processing the second portion of the input data stream". Though grammatically improper, this language appears to claim that the multi-port memory itself is processing the data stream. This concept is not supported by the specification, however, it appears the original intent was to claim the non-linear processing component does the processing, but still, the "non-linear processing component" limitation has been deleted from the claim. Therefore, the scope of the claim is unclear.

***Claim Rejections - 35 USC § 102***

5. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(a) the invention was known or used by others in this country, or patented or described in a printed publication in this or a foreign country, before the invention thereof by the applicant for a patent.

6. Claims 1-5, 7, 10-13 and 15-20 are rejected under 35 U.S.C. 102(a) as being anticipated by McNicol et al. ("McNicol") (US Patent Application Publication No. 2004/0067064).

Regarding claim 1, McNicol discloses a method comprising: providing a multi-port memory having a plurality of multi-bit read ports, each read port including a filter coefficient value representing a dispersion compensation value associated with an optical link and processing an input optical signal using the filter coefficient values in the multi-port memory to generate an output optical signal for transmission on the optical link (figs. 3 and 4 and

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paragraphs 0042-0049, where the registers of the look-up table are read ports and each register stores a digital number, i.e. multi-bit number, thus the registers are multi-bit).

Regarding claim 2, McNicol discloses the method of claim 1, wherein the multi-port memory is a nine-port memory having eight read ports (fig. 4, element 26 and paragraphs 0046 and 0047).

Regarding claim 3, McNicol discloses the method of claim 1, wherein processing the input optical signal comprises: receiving the input optical signal, sampling the input optical signal to provide an input data stream (paragraph 0027, which indicates an embodiment with O/E conversion before the processing and paragraph 0047 where the latching is a form of sampling), and applying the filter coefficient values to the input data stream to generate one or more output data streams (paragraphs 0046-0049).

Regarding claim 4, McNicol discloses the method of claim 3, wherein applying the filter coefficient values to the input data stream comprises: identifying a first portion of the input data stream as an address to the multi-port memory, retrieving a filter coefficient value from the multi-port memory using the address, and adding the retrieved filter coefficient value to a second portion of the input data stream to generate an output data stream (paragraphs 0046-0048, where each stream of the parallel data stream corresponds to an address of the RAM).

Regarding claim 5, McNicol discloses a digital filter comprising: one or more functional units, each functional unit being associated with a lookup table of filter coefficient values, each functional unit to process an input data stream using the filter coefficient values in the lookup table and to generate one or more output data streams for transmission on an optical link (figs. 3 and 4 and paragraphs 0042-0049), and wherein the lookup table is a multi-port memory having a plurality of multi-bit read ports, each read port storing a filter coefficient value (paragraphs 0046 and 0047).

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Regarding claim 7, McNicol discloses the digital filter of claim 5, wherein each filter coefficient value represents a dispersion compensation value associated with the optical link (paragraph 0042).

Regarding claim 10, McNicol discloses a system comprising: an optical transmission path having one or more optical links, a transmit device including a dispersion compensation filter including a multi-port memory having a plurality of multi-bit read ports, each read port storing a filter coefficient value, the dispersion compensation filter associated with one or more lookup tables storing filter coefficient values, each filter coefficient value representing a dispersion compensation value associated with an optical link (figs. 3 and 4 and paragraphs 0042-0049); and a receive device coupled to the transmit device by the optical transmission path, transmit device processes an input optical signal using the filter coefficient values to generate an output optical signal for transmission to the receive device over an optical link of the optical transmission path (figs. 3 and 4 and paragraphs 0042-0049).

Regarding claim 11, McNicol discloses the system of claim 10, wherein the transmit device further comprises: a pre-encoder circuit to receive an input optical signal, sample the input optical signal and generate an input data stream (paragraph 0027, which indicates an embodiment with O/E conversion before the processing and paragraph 0047 where the latching is a form of sampling).

Regarding claim 12, McNicol discloses the system of claim 10, wherein the dispersion compensation filter comprises: one or more functional units, each functional unit for processing a bit of an input data stream (fig. 4 and paragraphs 0046 and 0047).

Regarding claim 13, McNicol discloses the system of claim 12, wherein each functional unit comprises: a linear processing component for processing a first portion of the input data

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stream to generate a linear component of a final sum representing a bit of the input data stream (fig. 4 and paragraphs 0046-0048).

Regarding claim 15, McNicol discloses the system of claim 13, wherein each functional unit comprises: a non-linear processing component for processing a second portion of the input data stream to generate a non-linear component of the final sum representing a bit of the input data stream (paragraph 0045).

Regarding claim 16, McNicol discloses the system of claim 15, wherein the non-linear processing component comprises: a multi-port memory having a plurality of read ports, each read port storing a filter coefficient value, wherein processing the second portion of the input data stream includes using the second portion of the input data stream as an address to the multi-port memory to retrieve a filter coefficient value (paragraph 0045, where the RAM LUT teaching also applies to a non-linear LUT compensator).

Regarding claim 17, McNicol discloses the system of claim 12, wherein each functional unit comprises: a final processing component for generating a final sum representing a bit of the input data stream (paragraph 0048).

Regarding claim 18, McNicol discloses a computer program product, tangibly embodied in a machine-readable medium, the computer program product being operable to cause a machine to: process an input optical signal using filter coefficient values stored in a multi-port memory to generate an output optical signal for transmission on an optical link, the multi-port memory having a plurality of multi-bit read ports, each read port including a filter coefficient value representing a dispersion compensation value associated with the optical link (figs. 3 and 4 and paragraphs 0042-0049).

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Regarding claim 19, McNicol discloses the computer program product of claim 18, wherein the multi-port memory is a nine-port memory having eight read ports (paragraphs 0046 and 0047).

Regarding claim 20, McNicol discloses the computer program product of claim 18 being further operable to cause a machine to: receive the input optical signal, sample the input optical signal to provide an input data stream (paragraph 0027, which indicates an embodiment with O/E conversion before the processing and paragraph 0047 where the latching is a form of sampling); and apply the filter coefficient values to the input data stream to generate one or more output data streams (paragraphs 0046-0049).

### ***Claim Rejections - 35 USC § 103***

7. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

8. Claims 8 and 14 are rejected under 35 U.S.C. 103(a) as being unpatentable over McNicol (US Patent Application Publication No. 2004/0067064) in view of Hazanchuk (US Patent No. 6888372).

Regarding claim 8, McNicol discloses the digital filter of claim 5, but does not disclose that each functional unit further comprises: a linear adder tree to process a portion of the input data stream, the linear adder tree including a plurality of adders, each adder having an input for receiving one of a first input sample value and a second input sample value, and an output for providing a partial sum. However, McNicol does disclose a set of two or more RAM blocks



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whose outputs are added (paragraph 0048). Hazanchuk suggests adding the outputs of RAM blocks using an adder tree, in the context of a digital filter application (col. 11, lines 19-42). It would have been obvious to one of ordinary skill in the art at the time of the invention to use an adder tree for adding the outputs of the RAM blocks of McNicol, since Hazanchuk suggests using an adder tree to add the outputs of RAM blocks in the context of a digital filter application.

Regarding claim 14, McNicol discloses the system of claim 13, but does not disclose that the linear processing component comprises: a linear adder tree including a plurality of adders, each adder having an input for receiving one of a first input sample value and a second input sample value, and an output for providing the linear component of the final sum representing a bit of the input data stream. However, it would have been obvious to one of ordinary skill in the art at the time of the invention to combine Hazanchuk with McNicol as described above for claim 8.

#### ***Allowable Subject Matter***

9. Claim 9 is objected to as described above and for being dependent upon a rejected base claim, but would be allowable if the above objections were overcome and if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

#### ***Response to Arguments***

10. Applicant's arguments filed 27 August 2007 have been fully considered but they are not persuasive.

The applicant's claim amendments do not overcome the rejections based on McNicol because McNicol already discloses multi-bit read ports, and because the "multi-bit interface" and "twelve-bit" limitations for the read ports are new matter, as described above.

11. **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

### ***Conclusion***

12. Any inquiry concerning this communication from the examiner should be directed to N. Curs whose telephone number is (571) 272-3028. The examiner can normally be reached on M-F (from 9 AM to 5 PM).

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Jason Chan, can be reached at (571) 272-3022. The fax phone number for the organization where this application or proceeding is assigned is (571) 273-8300. Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (800) 786-9199.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished

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applications is available through Private PAIR only. For more information about the PAIR system, see <http://pairedirect.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).



**JASON CHAN**  
**SUPERVISORY PATENT EXAMINER**  
**TECHNOLOGY CENTER 2600**